

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 2225 OF 2006

Shri. Lingappa Kalappa Patil. ...Applicant.
Vs.
The State of Maharashtra. ...Respondent.

Mr.S.A.Ingawale, Advocate for the Applicant.
Mr.S.S.Tatkare,APP. for the State.

CORAM : R.S. MOHITE, J.
DATED : 30/6/2006.

P.C.

1. This is an application for grant of bail. The applicant is invalid person and his both legs have been amputated. He is shown as an accused in C.R.No.41/2005 registered by Murgad Police Station, Kolhapur for alleged offences under Section 302 read with 34 of the I.P.C. and under Section 30 of the Arms Act. The allegation against him is that he owed an amount of Rs.35,000/- from the Co.operative Society. The deceased Vithal Shinde along with two other persons by names Dashrath and Shahaji Dinkar Patil went to his residence and demanded amount of loan. The applicant stated that he did not have money. The three persons who had gone to demand the loan amount threatened to take away his motorcycle and one of them touched the motorcycle. At that time the applicant asked his son to get his licensed gun and fired the same, killing the deceased

Vithal. Taking into account of the fact that the applicant is an invalid person whose legs were amputated and also taking into account the fact that the action on the part of the persons recovering the money appears to be unreasonable, I am inclined to grant bail to the applicant. It is therefore, directed that pending his trial in pursuance of C.R.No.41/2005 registered by Murgud Police Station, Kolhapur, the applicant may be released on bail in the sum of Rs.15,000/- with one surety in the like amount.

2. Application is disposed of.

(R. S. MOHITE, J.)